

The Honorable Marsha J. Pechman

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON

JOHN R. BUND II, personally, as Executor of the ) NO. 2:16-cv-00920-MJP  
Estate of Richard C. Bund, deceased, and )  
CRYSTAL HAYNES, a single woman, and on ) STIPULATED MOTION  
behalf of others similarly situated ) REGARDING DISMISSAL OF  
, ) CONVERSION CLAIMS OF  
Plaintiffs, ) PLAINTIFF JOHN R. BUND II  
vs. ) NOTE ON MOTION CALENDAR:  
February 1, 2018  
SAFEGUARD PROPERTIES, LLC, a Delaware )  
corporation )  
Defendant. )

I. STIPULATION

Pursuant to Fed. R. Civ. P. 41(a)(1)(ii) the parties stipulate that the conversion claims of Plaintiff John R. Bund II, personally, as Executor of the Estate of Richard C. Bund, deceased, be dismissed with prejudice from this action.

Fed. R. Civ. P. 41(a)(1)(ii) is subject to the added protections described in Fed. R. Civ. P. 23(e). Fed. R. Civ. P. 41(a)(1)(A). However, pursuant to this Court's Order on Class Certification, the certified class has no claim for conversion. Dkt. # 204 at p. 2 (describing the certified class as limited to individuals who suffered lock changes, and declining to certify

STIPULATED MOTION REGARDING DISMISSAL OF  
CONVERSION CLAIM OF PLAINTIFF JOHN BUND II  
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1 Plaintiffs' proposed sub-class seeking class-wide recovery for conversion); *see also id.* at p.  
2 14. Therefore, the parties agree that the added protections described in Fed. R. Civ. P. 23(e)  
3 do not apply to this stipulated dismissal.  
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5 Respectfully submitted this 1<sup>st</sup> day of February, 2018.

6 JEFFERS, DANIELSON, SONN & AYLWARD, P.S.  
7

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18 Respectfully submitted this 1<sup>st</sup> day of February, 2018.

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31

1 Respectfully submitted this 1<sup>st</sup> day of February, 2018.

2 LEE SMART, P.S., INC.

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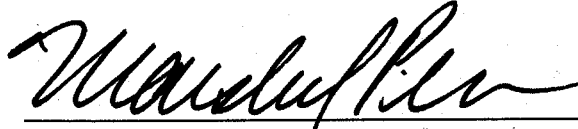
11 Email: [kwb@leesmart.com](mailto:kwb@leesmart.com)

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13 Attorneys for Defendant Safeguard Properties Management,  
14 LLC  
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II. ORDER OF THE COURT

It is so ordered.

Dated this 6 day of Feb., 2018.



The Honorable Marsha J. Pechman  
United States District Judge

**CERTIFICATE OF SERVICE**

I hereby certify that on February 1, 2018, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System. Notice of this filing will be sent to the parties listed below by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

PAMELA J. DEVET                      pjd@leesmart.com  
KELLAN W. BYRNE                      kwb@leesmart.com

DATED at Wenatchee, Washington this 1<sup>st</sup> day of February, 2018.

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